

### **REMARKS**

Claims 14-28 are pending in this application. Claims 14 and 16 are amended to more particularly define the claimed invention. No new matter is added. Support for the amendment to Claim 14 may be found in the application as filed at, for example, Fig. 4.

#### **The 102 Rejections**

Independent claim 14 is generally directed to a mattress including an innercore that is disposed within a cavity defined by a bottom panel and a perimeter sidewall. A portion of the innercore bottom surface is joined to the bottom panel by an adhesive in a region proximate to the perimeter sidewall. A remaining portion of the bottom surface is substantially in contact with the bottom panel yet unattached to the bottom panel. Independent claim 16 is directed to similar subject matter as claim 14. Zocco fails to disclose an innercore having a portion of its bottom surface attached to a bottom panel along a perimeter sidewall, while a remaining portion of the bottom surface is unattached.

The Action alleges that col. 3 line 64 – col. 4, line 2 of Zocco discloses this subject matter. Applicants disagree. The cited passage states that the bottom of a first layer of filling material is glued to a bottom panel (Zocco, col. 3, lines 66-68). Alternatively, Zocco discloses an embodiment in which the first layer of filling material is not glued to the bottom panel and is entirely unattached to the bottom panel (Zocco, col. 6, lines 60-63). Applicants stress that Zocco does not describe, implicitly or explicitly, applying an adhesive to less than the entire panel or in a specific region, e.g., in a region proximate to the perimeter of the sidewalls. Applicants carefully selected the specific region recited in the claims to replace the conventional approach where an innerspring unit was first attached to a lower border wire which was then joined to the bottom panel (Specification, paragraph [0007]).

Citing Zocco, the Action further states “wherein ... a remaining portion [of the bottom surface of the filling material] underneath the bottom panel being unattached by at least an adhesive to the bottom panel” (Action, Page 5). Applicants fail to see such an embodiment described in

Zocco. Zocco explicitly states that “the described procedure provides a mattress innerspring subassembly which is entirely encased (by the frame (1) and the top (10) and bottom (11) panels)” (Zocco, col. 4, lines 29-32). Zocco describes the filling material being entirely encased inside the opening formed by the frame and top and bottom panels. Therefore, Zocco does not describe an embodiment where a remaining portion of the bottom surface of the filling material is underneath the bottom panel. Accordingly, Applicants stress that Zocco fails to describe that a portion of the bottom surface of the first layer of filling material should be attached to the bottom panel, while the remaining portion is substantially in contact with yet unattached to the bottom panel.

Hence, Zocco does not describe that adhesive is applied in a region proximate to the perimeter of the side wall, or that a portion of the innercore bottom surface is substantially in contact with yet unattached to the bottom panel, as recited in Applicants' independent claims. For at least these reasons, Applicants respectfully request reconsideration and withdrawal of the 102(b) rejections of claims 14 and 16. Since claims 15, 17-18, 20-21, and 23-27 each depend from one of claims 14 and 16 and add further limitations thereto, Applicants also respectfully request that the §102(b) rejections of these dependent claims be withdrawn.

#### The 103 Rejections

As discussed above, Zocco fails to describe that a portion of an innercore bottom surface is attached to a bottom panel while the remaining portion is substantially in contact with yet unattached to the bottom panel. Moreover, Applicants submit that Zocco also fails to teach or suggest the above subject matter. Zocco specifically discloses two particular embodiments. In the first embodiment, the first layer of filling material is glued to the bottom panel. In the second embodiment, the first layer of filling material is entirely unattached to the bottom panel. Zocco fails to teach or suggest that adhesive is applied in a region proximate to the perimeter of the side wall, or that a portion of the innercore bottom surface is substantially in contact with yet unattached to the bottom panel, as recited in Applicants' independent claims. The Action has not given any

motivation for why one of ordinary skill in the art, when provided with Zocco, would arrive at the given subject matter.

Dimitry fails to make up for the deficiencies in Zocco. Therefore, Zocco, Dimitry, or their combination, fails to teach or suggest the subject matter of the claims. For at least these reasons, Zocco and Dimitry, alone and in combination, fail to teach or suggest each and every element of independent claims 14 and 16. Since claims 19, 22, and 28 each depend from one of claims 14 and 16 and add further limitations thereto, Applicants respectfully request reconsideration and withdrawal of the 103(a) rejections of these dependent claims.

### Conclusion

In view of the above amendment, Applicants believe the pending application is in condition for allowance.

We believe that we have appropriately provided for the fees due in connection with this submission. However, if a fee is due, please charge our Deposit Account No. 18-1945, under Order No. SMCY-P02-099 from which the undersigned is authorized to draw.

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Respectfully submitted,

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